

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JASMINE ELLIS, TYREL BEERY, MICHELLE  
LIEBE, JENNIFER (RUBY) CHAVEZ, JILL  
BRANDT, and ELIZABETH TARRIES,

Plaintiffs,

v.

OREGON HEALTH AND SCIENCE  
UNIVERSITY,

Defendant.

Case No.: 3:23-cv-01555-JR

ORDER

**Adrienne Nelson, District Judge**

United States Magistrate Judge Jolie A. Russo issued a Findings and Recommendation in this case on July 22, 2025, recommending that this Court grant defendant's motion to dismiss the remaining plaintiff in this case, Tyrel Beery, for failure to prosecute. No party has filed objections. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).


A district court judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). If any party files objections to a magistrate judge's proposed findings and recommendations, "the court shall make a de novo determination of those portions of the report." *Id.* No standard of review is prescribed for portions of the report for which no objections are filed, and no review is required in the absence of objections. *Thomas v. Arn*, 474 U.S. 140, 152-54 (1985). A district judge is not, however, precluded from *sua sponte* review of other portions of the report, under a *de novo* standard or otherwise. *Id.* at 154. The Advisory Committee notes to Federal Rule of Civil Procedure 72(b) recommend that unobjected to proposed findings and recommendations be reviewed for "clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment.

Because no party in this case has made objections, this Court reviews Judge Russo's

Findings and Recommendation for clear error on the face of the record. Finding no such error, the Court ADOPTS Judge Russo's Findings and Recommendation, ECF [68], in full. Defendant's Motion to Dismiss for Lack of Prosecution, ECF [65], is GRANTED. This case is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 29th day of August, 2025.

  
Adrienne Nelson  
United States District Judge